GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Departmental proceedings under rule 20 of A.P.C.S (CC&A) Rules, 1991 against Sri M.Dhanunjaya, former Tahsildar, Macherla Mandal (Retd) - Article of Charges Issued - Inquiry officer appointed - Report submitted - Communicated - Explanation submitted - A penalty of "withholding of 10% monthly pension for a period of one year" imposed - Orders - Issued.

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REVENUE (VIGILANCE - III) DEPARTMENT

G.O.Rt.No.418 **Dated:01.05.2023**

Read the following:

1. Vigilance Report.No.64 (C.No.49/V&E/CS/2010, Dt:07.06.2010 of G.A (V&E) dept.
2. G.O.Rt.No.725, Revenue (Vig.III) Dept, Dt:03.09.2020
3. G.O.Rt.No.917, Revenue (Vig.III) Dept, Dt:03.12.2020.
4. From the Inquiry Authority & Joint Collector (RB&R), Guntur District, Lr.Rc.No.4516/2010-A4, Dt:29.05.2021.
5. Memo.No.REV01-LANA0CCLV(DISC)/56/2020-Vig.III(2), Dt:11.08.2021.
6. From the Inquiry Authority & Joint Collector, Guntur District, Lr.Rc.No.4516/2010-A4, Dt:09.11.2021.
7. Memo.No.REV01-LANA0CCLV(DISC)/56/2020-Vig.III(2), Dt:07/07/2022.
8. Explanation dt:Nil of Sri M.Dhanunjaya, fromer Tahsidlar, Macharla (M) (Retd).
9. Memo.No.REV01-LANA0CCLV(DISC)/56/2020-Vig.III(2), Dt:07/10/2022.
10. Explanation dt:17.10.2022 of Sri M.Dhanunjaya, the then Tahsildar, Macheral Mandal, Palnadu District, Narasaraopet (Retd))
11. Letter.No.REV01-LANA0CCLV(DISC)/56/2020-Vig.III(2), Dated:07/11/2022
12. From the Secretary, APPSC, Lr.No.GAD03-APPS0DCC/1/2023-DC.SEC-APPSC (Comp.No.1991957), Dt:09.03.2023

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ORDER:

Whereas, in the reference 2nd read above, disciplinary proceedings has been instituted against Sri M.Dhanunjaya, former Tahsildar, Macherla Mandal (Retd) on the allegation of (i) misuse of Powers and gross negligence in discharging duties for his failure to detect and arrest the diversion of PDS rice from his jurisdiction (ii) for failing to file cases u/s 6-A of EC Act & Criminal cases against the 4 accused detected by the V&E Department and deliberately protecting the criminals for ulterior gains thereby misused his powers. The Charged Officer Sri M.Dhanunjaya, the then Tahsildar, Macheral Mandal, has submitted his written statement of defense dt:06.10.2020 denying the charges. As the explanation of the Charged officer is not convincing, Government in the reference 3rd read above, have appointed the Joint Collector (RB&R), Guntur District as Inquiry Authority to inquire into the matter.

2. And whereas, in the reference 4th read above, the Joint Collector (RB&R), Guntur/ Inquiry Authority has submitted Inquiry report. After examining the enquiry report, Government have observed that the Presenting Officers presentation before the Inquiry Officer has not been recorded in the Inquiry Report and in the end of analysis and findings of enquiry, the Inquiry Officer has not specifically stated whether the charge against the Charged officer is proved or not proved for each charge. Therefore, in the reference 5th read above, the Inquiring Authority - cum-Joint Collector (RB&R), Guntur District was requested to rectify the above defects and submit the Inquiry report to the Government. In the reference 6th read above, the Joint Collector (RB&R)/ Inquiry Authority has submitted the enquiry report stating that the charge-1 is partially proved and Charge-2 is held proved.

3. After careful examination of the matter under the scheme of Vigilance Commission, the findings of the Inquiry officer has been accepted and a copy of inquiry report has been communicated to the Charged officer to submit his explanation if any on the findings of the Inquiry officer, under Rule 21(2) of A.P.C.S

(P.T.O)

(CC&A) Rules, vide reference 7th read above. In reply, the Charged officer has submitted his explanation and requested to take the real facts into consideration and drop further course of action in the matter on humanitarian grounds.

4. And whereas, after careful examination of the Enquiry report and the explanation of the Charged Officer Sri M.Dhanunjaya, the then Tahsildar, Macheral Mandal, Government have provisionally decided to impose a "penalty of withholding of 10% monthly pension for a period of one (1) year" against Sri M. Dhanunjaya, the then Tahsildar, Macheral mandal (Retd), under Rule 9 of AP Revised Pension Rules,1980. Accordingly, in the reference 9th read above a Show cause notice has been issued to the Charged Officer, as to why the proposed punishment should not be imposed against him. In reply, Sri M. Dhanunjaya has submitted his explanation dt:17.10.2022 reiterating his earlier contentions and requested to drop further action against him.

5. After examining the explanation of the Charged Officer, Government have provisionally decided to impose a penalty of withholding of 10% monthly pension for a period of one (1) year" against Sri M. Dhanunjaya, the then Tahsildar, Macheral Mandal (Retd). Accordingly, necessary proposals has been sent to the Secretary, APPSC with a request to obtain the concurrence of the Commission.

6. And whereas, In the reference 11th read above, the Secretary, APPSC has informed that the Commission opined that the charges are proved beyond doubt and advised that the punishment proposed may also be commensurately enhanced to 10% permanently.

7. Government, after examining the advice of the A.P.P.S.C and obtaining the orders of the competent authority under the A.P. Government Business Rules, have decided and hereby impose a penalty of "withholding of 10% monthly pension for a period of one (1) year" against Sri M. Dhanunjaya, the then Tahsildar(Retd), Macheral Mandal, Palnadu Dist (erstwhile Gutnur) under Rule 9 of AP Revised Pension Rules,1980 in this matter.

8. The Chief Commissioner of Land Administration, A.P., Mangalagiri/ the Collector & District Magistrate, Palnadu/Guntur shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To,

Sri M.Dhanunjaya, the then Tahsildar, Macheral Mandal, Palnadu District, Narasaraopet (Retd) (erstwhile Guntur District) (**through** the Collector & District Magistrate, Palnadu District, Narasaraopet).
The Chief Commissioner of Land Administration, Andhra Pradesh, Mangalagiri.
The Collector & District Magistrate, Palnadu District, Narasaraopet.
The Collector & District Magistrate, Guntur.

Copy to:

The Secretary, A.P.Public Service Commission, Vijayawada,
The Director of Treasuries & Accounts, A.P, Vijayawada,
The Accountant General, Vijayawada,
Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER